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**PPG Industries**

Bringing innovation to the surface.™

Thomas J. Ebbert
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March 20, 2015

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SFD-Mtt

Ms. Margaret Herring
Civil Investigator
U. S. Environmental Protection Agency, Region 5
Superfund Division
Enforcement and Compliance Assurance Branch (SE-5)
77 West Jackson Boulevard
Chicago, IL 60604-3590

RE: Response to Request for Information for the South Dayton Dump & Landfill

Dear Ms. Herring:

PPG Industries, Inc. ("PPG") submits this response to U. S. EPA Region 5's Request for Information, dated January 16, 2015 ("the Request"), regarding the South Dayton Dump & Landfill in Moraine, Ohio ("the SDDL Site" or "the Site"). This will also formally acknowledge EPA agreed to a 30-day extension of time, through March 21, 2015, for PPG to submit this response. PPG appreciates the Agency's courtesies in this regard.

EPA's Special Notice Letter (SNL) that accompanied the Request states that PPG has been identified as a potentially responsible party (PRP) that contributed hazardous substances to the Site based on an extensive review of records related to the release and/or disposal of hazardous substances at the Site. After receiving the SNL, PPG requested copies of all nexus information/documents in EPA's possession or control relating to any PPG involvement with, or connection to, the Site. In follow-up communications, Thomas Nash, Associate Regional Counsel, confirmed that EPA has no evidence linking PPG to the Site other than testimony given by Edward Grillot in *Hobart v. Dayton Power and Light*, CA No. 3:13-CV-115 (S. Dist. Ohio) ("Hobart III"). In addition, Mr. Nash confirmed EPA placed chronological (1941-1996) and geographical (facilities located within 50 miles of the Site) limitations on the Request.

PPG owned or operated two production facilities located within a 50-mile radius of the Site during a portion of the referenced time frame. PPG owned/operated the Thresher Varnish facility in Dayton ("the Thresher facility") until discontinuing operations in 1957, when the facility was closed. PPG operated an ink facility in Woodlawn, Ohio ("the Woodlawn facility"), from 1981 until 1991. Accordingly, all of PPG's responses to the questions below are limited exclusively to those two locations during the referenced time frames.

PPG's response to the Request is based on its investigation to date. Given the periods of time that it operated the Thresher and Woodlawn facilities, PPG has identified very little responsive information/documentation as to either facility. PPG reserves the right to supplement this response should additional information/documentation be identified.

PPG objects to each question insofar as it exceeds EPA's statutory authority under Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), is not relevant to the specified legislative purposes of this provision, or is otherwise unreasonable, indefinite or protected from disclosure by the attorney-client privilege, attorney work-product doctrine, or other applicable privilege. *See generally United States v. Gurley*, 384 F.3d 316 (6th Cir. 2004). By way of example, PPG objects to the questions insofar as PPG's operations at the Thresher and Woodlawn facilities were discontinued nearly 60 and 25 years ago, respectively, and the Woodlawn facility is situated more than 40 miles from the Site with multiple closer disposal locations, when no evidence has been identified indicating wastes from either facility were disposed at the Site. PPG also objects to the questions insofar as they seek information already provided to or otherwise in the possession of EPA. Subject to and without waiver of these objections, PPG's response to the Request follows.

QUESTIONS

1. Identify all persons consulted in the preparation of the answers to these questions.

RESPONSE:

Thomas J. Ebbert
Manager, Remediation
PPG Industries, Inc.
440 College Park Drive
Monroeville, PA 15146

Peter T. Stinson, Esquire
Dickie, McCamey & Chilcote, PC
Two PPG Place
Pittsburgh, PA 15222
412-392-5432
pstinson@dmclaw.com

Any attempt to obtain additional information should be made through counsel, Mr. Stinson.

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions, and provide copies of all such documents.

RESPONSE: See enclosed documents.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons. Provide their current, or last known, address, telephone number, and e-mail address.

RESPONSE: No such persons have been identified.

4. Provide names, addresses, telephone numbers, and e-mail addresses of any individuals, including former and current employees, who may be knowledgeable about Respondent's operations and hazardous substances handling, storage, and disposal practices.

RESPONSE: None as to the Thresher facility. See enclosed documents as to the Woodlawn facility.

5. State the date(s) on which the Respondent sent, brought, or moved drums and/or hazardous substances to the South Dayton Dump and Landfill (SDDL) Site and the names, addresses, telephone numbers, and e-mail addresses of the person(s) making arrangements for the drums and/or hazardous substances to be sent, brought, or moved to the SDDL Site.

RESPONSE: Not applicable. PPG did not send, bring or move drums or hazardous substances to the SDDL Site.

6. Did Respondent haul or send materials to SDDL in vehicles it owned, leased, or operated? If yes, during what time periods did this occur? If no, how did Respondent transport materials to SDDL? Identify the hauler(s) and provide the addresses, telephone numbers, and e-mail addresses of these entities.

RESPONSE: No. PPG did not transport materials to SDDL.

PERMITS/REGISTRATIONS

7. List all federal, state, and local permits and/or registrations and their respective permit numbers issued to Respondent for the transport and/or disposal of materials.

RESPONSE: None as to the Thresher facility. As to the Woodlawn facility - OHD074727975.

8. Which shipments or arrangements were sent under each permit? If what happened to the hazardous substances differed from what was specified in the permit, please state, to the best of your knowledge, the basis or reasons for such difference.

RESPONSE: Not applicable as the Thresher facility. PPG believes shipments from the Woodlawn facility satisfied all applicable permit requirements.

9. Were all hazardous substances transported by licensed carriers to hazardous waste Treatment Storage and Disposal Facilities permitted by the U.S. EPA?

RESPONSE: Not applicable as to the Thresher facility. See above as to the Woodlawn facility.

10. List all federal, state, and local permits and/or registrations and their respective permit numbers issued for the transport and/or disposal of wastes.

RESPONSE: Not applicable as to the Thresher facility. See above as to the Woodlawn facility.

11. Does your company or business have a permit or permits issued under Resource Conservation and Recovery Act? Does it have, or has it ever had, a permit or permits under the hazardous substance laws of the state of Ohio? Does your company or business have an EPA Identification Number or an identification number supplied by the State Environmental Protection Agency? Supply any such identification number(s) your company or business has.

RESPONSE: No as to the Thresher facility. See above as to the Woodlawn facility.

12. Identify whether Respondent ever filed a Notification of Hazardous Waste Activity with the EPA or the corresponding agency or official of the state of Ohio, the date of such filing, the wastes described in such notice, the quantity thereof described in such notice, and the identification number assigned to such facility by EPA or the state agency or official.

RESPONSE: No as to the Thresher facility. As indicated by the EPA ID Number in the enclosed documentation, PPG filed a Notification of Hazardous Waste Activity, although it has been unable to locate records containing other responsive information.

**RESPONDENT'S DISPOSAL/TREATMENT/STORAGE/RECYCLING/SALE OF WASTE
(INCLUDING BY-PRODUCTS)**

13. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job titles, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management. For each individual identified in response to this question, provide the current or most recent known address, telephone number, and e-mail address.

RESPONSE: No such persons have been identified.

14. Describe the containers used to take any type of waste from Respondent's operation, including but not limited to:
- a. the type of container (e.g. 55 gal. drum, dumpster, etc.);
 - b. the colors of the containers;
 - c. any distinctive stripes or other markings on those containers;
 - d. any labels or writing on those containers (including the content of those labels);
 - e. whether those containers were new or used; and
 - f. if those containers were used, a description of the prior use of the containers.

RESPONSE: According to PPG's response to the Eckhardt Survey (enclosed), wastes from the Thresher facility were removed in 55-gallon drums and taken to a privately owned disposal location approximately 10 miles north of Dayton. Except as indicated in the enclosed documentation, unknown as to the Woodlawn facility.

15. For any type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling. [sic] Provide copies of all documents relating to the transportation or disposal of said waste, including correspondence and manifests. Include all correspondence and records of communication between Respondent and Cyril Grillot, Kenneth Grillot, Alcine Grillot, or Horace Boesch, Sr.

RESPONSE: Other than the enclosed documentation, no such documents have been identified.

16. Provide copies of such contracts and other documents reflecting such agreements or arrangements.

RESPONSE: See above. No additional documents have been identified.

- g. State where Respondent sent each type of its waste for disposal, treatment, or recycling.

RESPONSE: See above.

- h. Identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request.)

RESPONSE: According to the Eckhardt Survey, drummed wastes from the Thresher facility were hauled by PPG trucks. The identity of the driver(s) is unknown. Except as indicated in the enclosed documents, unknown as to the Woodlawn facility.

- i. If Respondent transported any of its wastes away from its operations, please do indicate and answer all questions related to "Waste Carriers" with reference to Respondent's actions.

RESPONSE: See above.

- j. For each type of waste specify which Waste Carrier picked it up.

RESPONSE: Unknown except as indicated in the enclosed documents.

- k. For each type of waste, state how frequently each Waste Carrier picked up such waste.

RESPONSE: Unknown.

- l. For each type of waste state the volume picked up by each Waste Carrier (per week, month, or year).

RESPONSE: Unknown.

- m. For each type of waste state the dates (beginning & ending) such waste was picked up by each Waste Carrier.

RESPONSE: Unknown.

- n. Provide copies of all documents containing information responsive to the previous seven questions.

RESPONSE: See enclosed documents.

- o. Describe the vehicles used by each Waste Carrier to haul away each type of waste including but not limited to:
1. the type of vehicle (e.g., flatbed truck, tanker truck, containerized dumpster truck, etc.);
 - ii. names or markings on the vehicles; and
 - iii. the color of such vehicles.

RESPONSE: Unknown.

- j.[sic] Identify all of each Waste Carrier's employees who collected Respondent's wastes.

RESPONSE: Unknown.

- k. Indicate the ultimate disposal/recycling/treatment location for each type of waste.

RESPONSE: See above.

- l. Provide all documents including the ultimate disposal/recycling/treatment location for each type of waste.

Response: No additional documents have been located.

- m. Describe how Respondent managed pickups of each waste, including but not limited to:
- i. the method for inventorying each type of waste;
 - ii. the method for requesting each type of waste to be picked up;
 - iii. the identity of (see Definitions) the waste carrier employee/agent contacted for pickup of each type of waste;
 - iv. the amount paid or the rate paid for the pickup of each type of waste;
 - v. the identity of (see Definitions) Respondent's employee who paid the bills; and

- vi. the identity of (see Definitions) the individual (name or title) and company to whom Respondent sent the payment for pickup of each type of waste.

RESPONSE: Unknown.

- n. Identify the individual or organization (i.e., the Respondent, the Waste Carrier, or, if neither, identify such other person) who selected the location where each of the Respondent's wastes were taken.

RESPONSE: Unknown.

- o. State the basis for and provide any documents supporting the answer to the previous question.

RESPONSE: See above.

- p. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
 - i. the nature and chemical composition of each type of waste;
 - ii. the dates on which those wastes were disposed;
 - iii. the approximate quantity of those wastes disposed by month and year;
 - iv. the location to which these wastes drained (e.g., on-site septic system), on-site storage tank, pretreatment plant, Publicly Owned Treatment Works (POTW), etc.; and
 - v. whether and what pretreatment was provided.

RESPONSE: None to PPG's knowledge.

- q. Identify any sewage authority or treatment works to which Respondent's waste was sent.

RESPONSE: Unknown.

- r. If not already provided, specify the dates and circumstances when Respondent's waste was taken to the SDDL Site, and identify the companies or individuals who brought Respondent's waste to the Site. Provide all documents which support or memorialize your response.

RESPONSE: Not applicable. See above.

RESPONDENT'S ENVIRONMENTAL REPORTING:

17. Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

RESPONSE: Not applicable as to the Thresher facility. See above as to the Woodlawn facility.

18. Identify (see Definitions) all federal offices to which Respondent has sent or filed information about hazardous substance or hazardous waste.

RESPONSE: None as to the Thresher facility. See above as to the Woodlawn facility.

19. State the years during which such information was sent/filed.

RESPONSE: Not applicable as to the Thresher facility. See above as to the Woodlawn facility.

20. Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.

RESPONSE: Not applicable as to the Thresher facility. See above as to the Woodlawn facility.

21. State the years during which such information was sent/filed.

RESPONSE: See above.

22. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.; Solid Waste and Infectious Waste Regulations, OAC 3745-27 (former rule EP-20); Licenses for Solid Waste, Infectious Waste Treatment, or Construction and Demolition Debris Facilities, OAC 3745-37 (former rule EP-33); Solid and Hazardous Wastes, ORC 3734-01 through 3734-11; Open Burning Standards, OAC 3745-19-03.

RESPONSE: Not applicable as to the Thresher facility. See above as to the Woodlawn facility.

23. Identify the federal and state offices to which such information was sent.

RESPONSE: See above.

Very truly yours,

Thomas J. Ebbert

es

Thomas J. Ebbert

cc: Peter T. Stinson, Esquire

605580.1



File
INTER-OFFICE CORRESPONDENCE

To: P. M. King
General Office

Date: July 13, 1979
From: L. N. Streff
Location: Springdale R&D
Subject: ECKHARDT SURVEY RESPONSE -
C&R Closed Facilities

Attached are two sets of completed survey forms for the following former Divisional Facilities where activities were moved to other C&R locations:

Thresher Varnish - Dayton, Ohio
Barreled Sunlight - Keene, N.H.
M. B. Suydam Division - Pittsburgh, PA
Portland Factory - Portland, OR
Ditzler Color Division - Detroit, MI
Newark Factory - Newark, NJ

Information contained in these responses was developed through telephone interviews of former employees at these locations. A sheet outlining pertinent information is attached to the survey form for each facility.

L. N. Streff
L. N. Streff

/n

cc: H. E. Gilbert
R. F. Wilkinson

FACILITY

Thresher Varnish Company, Dayton, Ohio

CLOSURE DATE

1957

PERSONS CONTACTED

Factory Manager

- 1) Solvent was redistilled by unknown contractor.
- 2) Drums were burned out by unknown contractor.

Production Superintendent

- 1) Solvent was redistilled in plant.
- 2) The following wastes were disposed of:
 - a) Sludges from solvent still
 - b) Floor washes.
 - c) Defective product.
- 3) Wastes loaded into 55 gallon drums and hauled by PPG trucks to a privately owned dump somewhere north of Dayton - approximately 10 miles.

FORM A: GENERAL FACILITY INFORMATION

Company Name: PPG INDUSTRIES INC

Facility Name: THRESHER VARNISH Co.

Address:

No. Street
DAYTON OHIO
 City State Zip Code

Name of Person Completing Form: L. N. STREFF

Position: MGR, ENV. ENG & CONTROL

Phone Number: (412) 274-4500

1. Year Facility Opened 19 25 (10-11)

2. Primary SIC Code 2851 (12-15)

3. Estimate the total amounts of process wastes (excluding wastes sold for use) generated by this facility during 1978:

thousand gallons (16-24)

hundred tons (25-32)

thousand cubic yards (33-41)

4. Estimate (in whole percents) how these process wastes generated in 1978 were disposed of:

in landfill (42-44)

in pit/pond/lagoon (45-47)

in deep well (48-50)

incinerated (51-53)

reprocessed/recycled (54-56)

evaporated (57-59)

unknown (60-62)

other (Specify) (63-65)

5. What is the total number of known sites (including disposal on the property where this facility is located as one site) that have been used for the disposal of process wastes from this facility since 1950? -|-| (66-68)

COMPLETE ONE FORM "B" FOR EACH OF THE SITES

6. Have any of the process wastes generated at this facility been hauled (removed) from this facility for disposal? (Yes=1; no=2) 1 (69)

IF YES, COMPLETE FORM "C"

7. Do you know the disposal site locations of all of the process waste hauled from your facility since 1950? (Yes=1; no=2) 2 (70)

IF NO, COMPLETE ONE FORM "D" FOR EACH FIRM OR CONTRACTOR WHO TOOK WASTE TO AN UNKNOWN LOCATION

8. Specify the earliest year represented by information from company or facility records supplied on this and other forms 19 71 (71-72)

9. Specify the earliest year represented by information from employee knowledge supplied on this and other forms 19 50 (73-74)

6/4/92

TO: LEON HOSKINS - BREWER INK CO
FROM: TOM EBBERT - PPG - ALLISON PARK

LEON,

HERE IS THE AUTHORITY TO SIGN
THE MANIFEST FOR ONE DRUM OF WASHWATER
THAT WILL BE PICKED UP TODAY BY
MATLACK. IF YOU HAVE ANY QUESTIONS
PLEASE CALL ME AT 912 492 5478
OR JIM FREID.

THANKS.

Tom Ebbert

CINCINNATI, OH

PPG Ink Products (Liquid)
10200 Springfield Pike
Woodlawn, OH 45215
(513) 772-1650
L. Hoskins - Plant Manager
N. Anderson - Branch Manager
County: Hamilton
EPA ID: OHD074727975

ERLANGER, KY

PPG Industries
Lithographic Ink Products
Suite 130
1835 Airport Exchange Blvd.
Erlanger, KY 41012
(606) 282-9600
Fax (606) 282-1924
Steve Rigdon-Operations Manager
G. Neudecker - Plant Manager
(No hazardous waste files in drawer, only air & water)

HAWTHORNE, CA

PPG Ink Products (Litho)
12727 S. Van Ness Avenue
Hawthorne, CA 90250
(213) 757-2222
L. Jaderberg - Region. Manager
S. Baugh - Tech. Manager
T. Almaraz - Plant Manager
County: Los Angeles
EPA ID: CAD982003535

MARKHAM, ONTARIO

PPG Ink Products
2701 John Street
Markham, Ontario L3R 2W5
(416) 499-6777
R. Purnell - Plant Manager

NASHVILLE, TN

PPG Ink Products (Liquid)
1957 Nolensville Road
Nashville, TN 37211
(615) 242-0569
Fax (615) 254-6832
W. Tutt - Plant Mgr.
K. Cummings - Branch Mgr.
County: Davidson
EPA ID: TND980601892


Regular Mail
P.O.Box 40604
Nashville, TN 37204



PPG Industries

PPG Industries, Inc.
Monroeville Business & Technology Center
440 College Park Drive
Monroeville, Pennsylvania 15146 USA
Attn: Allie Lazon
RETURN SERVICE REQUESTED



UNITED STATES POSTAGE

PITNEY BOWES
02 1P \$ 001.19⁰
0000858340 MAR 20 2015
MAILED FROM ZIP CODE 15146

Ms. Margaret Herring
Civil Investigator
U.S. Environmental Protection Agency, Region 5
Superfund Division

Enforcement and Compliance
Assurance Branch (SE-5)
77 West Jackson Boulevard
Chicago, IL 60604-3590

